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2 UNITED STATES DISTRICT COURT  
3 WESTERN DISTRICT OF WASHINGTON  
4 AT TACOMA

5 LAURO IVAN AGUILAR-CANCHE

6 Petitioner/Defendant,

7 v.

8 UNITED STATES OF AMERICA,

9 Respondent/Plaintiff

CASE NO. C10-5100RBL

CRO6-5351RBL

CR08-0130 RBL

ORDER REQUIRING ANSWER

10 This matter comes before the court on the Petitioner's Motion to Set Aside Sentence/Conviction pursuant to 28: U.S.C. §2255.

11 Therefore, it is hereby ORDERED that:

12 (1) If not previously accomplished, electronic posting of this order and petition shall effect service upon the United States Attorney, copies of the 2255 motion and of all documents in support thereof.

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14 (2) The United States shall **file and serve an answer** in accordance with Rule 5 of the Rules Governing §2255 Cases in United States District Courts not later than **MAY 4, 2010**. As part of such answer, the United States should state its position as to whether an evidentiary hearing is necessary and whether there is any issue as to abuse or delay under Rule 9.

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16 The respondent shall file the answer with the Clerk of the Court and serve a copy of the answer upon the petitioner or petitioner's counsel. **The answer, and all further pleadings shall include both the civil and criminal case numbers supplied in this order and be posted to the civil case.**

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19 (3) Any reply by the petitioner shall be filed and served on or before **JUNE 4, 2010**

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21 **The Clerk shall note the 2255 Motion, on the court's calendar, for Friday, JUNE 4, 2010.**

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23 The Clerk of this Court is instructed to send uncertified copies of this Order to the petitioner, if unrepresented, and to all counsel of record.

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25 IT IS SO ORDERED this 5th day of March 2010.

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28 **RONALD B. LEIGHTON**  
UNITED STATES DISTRICT JUDGE  
(Electronically Signed Upon Authorization JAB)

Order Requiring Answer